

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**JOSEPH GAUTHIER,  
Individually and on Behalf of  
All Others Similarly Situated,**

**Plaintiffs,**

**v.**

**TRICAN WELL SERVICE, L.P.,**

**Defendants.**

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**CIVIL ACTION NO.**

**6:13-cv-00046-LED**

**JOINT MOTION TO STAY ALL DEADLINES  
AND NOTICE OF SETTLEMENT**

Plaintiffs Joseph Gauthier (“Gauthier”), Scott A. Magnuson (“Magnuson”), and David Unterkircher (“Unterkircher”) (collectively, “Plaintiffs”) and Defendant Trican Well Service, L.P. (“Defendant”) (collectively, the “Parties”) hereby file this Joint Motion to Stay All Deadlines and Notice of Settlement as follows:

**I.  
BACKGROUND**

1. This action was filed in the Eastern District of Texas by Joseph Gauthier on January 9, 2013, pursuant to 29 U.S.C. § 216(b) of the Fair Labor Standards Act (“FLSA”). On November 4, 2013, Magnuson filed his opt-in consent. On January 14, 2014, Unterkircher filed his opt-in consent. Plaintiffs alleged that they were misclassified as exempt employees and denied overtime pay.

2. Defendant answered and denied the material allegations in Plaintiffs’ complaint.

3. Defendant has agreed to settle Plaintiffs' claims, and Plaintiffs have agreed to compromise their claims on the terms and conditions set forth in the Settlement Agreement and Release of Claims to be provided to the Court for review.

**II.**  
**HEARING AND STAY**

4. The Parties request that the Court hold a hearing to consider the Settlement Agreement and Release of Claims that has been signed by the Parties.

5. The Parties request that the Court stay the unreachd deadlines contained in the Court's Docket Control order until the Court holds a hearing on the Settlement Agreement and Release of Claims.

**III.**  
**CONCLUSION AND PRAYER**

For these reasons, the Parties jointly request that this Court stay all deadlines pending the Court's approval of the settlement of agreement reached by the Parties.

Respectfully submitted this 2nd day of September, 2014.

/s/ Josh Sanford

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

This is to certify that on September 2, 2014, I electronically transmitted the foregoing document to the Clerk of Court using the ECF system of filing, which will transmit a Notice of Electronic Filing to the following counsel for Plaintiff, an ECF registrant.

/s/ John B. Brown

John B. Brown

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